

Article - Local Government

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§13–1001.

(a) This section applies only in Howard County.

(b) (1) In this section the following words have the meanings indicated.

(2) (i) “Disposable bag” means a plastic bag provided by a store to a customer at the point of sale.

(ii) “Disposable bag” does not include:

1. a durable plastic bag with handles that is at least 2.25 mils thick and is designed and manufactured for multiple reuse;

2. a bag used to:

A. package bulk items, including fruit, vegetables, nuts, grains, candy, or small hardware items;

B. contain or wrap frozen foods, meat, or fish, whether prepackaged or not;

C. contain or wrap flowers, potted plants, or other damp items;

D. contain unwrapped prepared foods or bakery goods;
or

E. contain a newspaper or dry cleaning;

3. a bag provided by a pharmacist to contain prescription drugs; or

4. plastic bags sold in packages containing multiple plastic bags intended for use as garbage, pet waste, or yard waste bags.

(3) “Store” means a retail establishment that provides disposable bags to customers as a result of the sale of a product.

(c) (1) The county may impose, by law, a fee on a store for the use of disposable bags as a part of a retail sale of products.

(2) The fee imposed under paragraph (1) of this subsection may not exceed 5 cents for each disposable bag used.

(d) The county may only use the revenue from a fee imposed under subsection (c) of this section for:

(1) an environmental purpose, including the establishment of a program to provide reusable bags to individuals in the county; or

(2) the implementation, administration, and enforcement of the fee.

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